

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 134687NV (MHM 15085US01)

PATENT

In the Application of:)
Peterson) **Electronically Filed On April 14, 2008**
Serial No.: 10/660,825)
Filed: September 12, 2003)
For: SYSTEM AND METHOD FOR)
DETERMINING THE POSITION OF A)
FLEXIBLE INSTRUMENT USED IN A)
TRACKING SYSTEM)
Examiner: Mehta, Parikha Solanki)
Group Art Unit: 3737)
Confirmation No.: 7037)

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Interview Summary mailed on April 4, 2008. The Applicant filed an RCE and an Amendment on March 27, 2008. The Amendment contains a statement regarding the substance of the interview. *See* March 27, 2008 Amendment at page 6.

In particular, the Examiner extended the Applicant the courtesy of contacting the undersigned attorney and indicated that, while the Panel decided that the claims remain rejected, the arguments set forth in the Pre Appeal Brief Request for Review were generally not considered because the after-final amendments were not entered. Subsequently, the undersigned attorney and the Examiner discussed the claims of the present application on March 27, 2008

Appln. No. 10/660,825
Amendment Under 37 C.F.R. § 1.114
March 27, 2008

(the Amendment erroneously indicated "December 27, 2008"). The Examiner agreed that Ligtenberg would not render the claims unpatentable so long as they were amended as set forth above, thereby prompting the claim amendments.

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited to contact the undersigned attorney. The Commissioner is authorized to charge any necessary fees, or credit any overpayment to Deposit Account 50-2401.

Respectfully submitted,

Date: April 14, 2008

/Joseph M. Butscher/
Joseph M. Butscher
Registration No. 48,326
Attorney for Applicant

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100